

PATENT APPLICATION
U.S. Patent Application No. 10/561,235
International Application No. PCT/IB04/02421
Attorney Docket No. PP020705.0003

Express Mail Label No.: EV 525254716 US Date: November 20, 2006

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re Application of:

Laura SERINO et al.

| | | | |
|---------------------|---|-------------------|----------------|
| U.S. Serial No.: | 10/561,235 | Confirmation No.: | 1557 |
| Int'l. Appln. No.: | PCT/IB04/02421 | Group Art Unit: | To Be Assigned |
| Int'l. Filing Date: | June 25, 2004 | Examiner: | To Be Assigned |
| For: | IMMUNOGENIC COMPOSITIONS COMPRISING MULTIPLE GONOCOCCAL ANTIGENS | | |

**RESPONSE TO THE NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", mailed April 18, 2006 from the United States Patent and Trademark Office, enclosed herewith are the following documents to complete the missing requirements in the above-identified application:

- ☒ **RETURN COPY OF NOTIFICATION OF MISSING REQUIREMENTS**
- ☒ **COPY OF EXECUTED DECLARATION (2 pages)**
- ☒ **SURCHARGE FEE of \$130.00 (included in the enclosed check)**
- ☒ **TRANSMITTAL OF SEQUENCE LISTING INCLUDING:**
 - ☒ **STATEMENTS UNDER 37 CFR 1.821(f) and (g)**
 - ☒ **PAPER COPY OF SEQUENCE LISTING (11 pages)**
 - ☒ **COMPACT DISC CONTAINING CRF COPY OF SEQUENCE LISTING (1 CD)**
- ☒ **PRELIMINARY AMENDMENT**

11/27/2006 MKAYPAGH 00000031 10561235

01 FC:1617

130.00 OP

☒ **PETITION FOR EXTENSION OF TIME:**

Applicants hereby petition to extend the time to respond to the Notification of Missing Requirements dated April 18, 2006 for 5 months from June 18, 2006 to November 18, 2006. The appropriate fee of \$2,160.00 is included in the enclosed check.

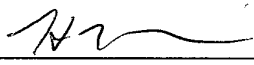
☒ **PAYMENT** – Check No. 9182 in the amount of \$ 2,290.00 to cover the above-identified fees.

☒ **RETURN RECEIPT POSTCARD**

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication and which may be required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 03-1664.

Respectfully submitted,

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: November 20, 2006 By: 
Helen Lee
Registration No. 39,270

NOVARTIS VACCINES AND DIAGNOSTICS, INC.
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11/27/2006 MKAYPAGH 00000031 10561235

02 FC:1255

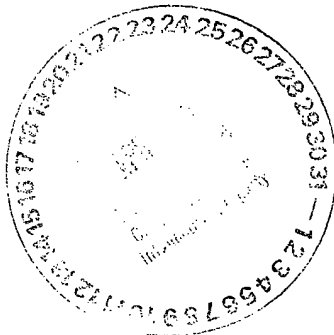
2160.00 DP



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| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/561.235 | Laura Serino | 002441.00182 |

27476
Chiron Corporation
Intellectual Property - R440
P.O. Box 8097
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| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/IB04/02421 | |
| I.A. FILING DATE | PRIORITY DATE |
| 06/25/2004 | 06/26/2003 |

CONFIRMATION NO. 1557
371 FORMALITIES LETTER



QC000000018554365

Date Mailed: 04/18/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/19/2005
- Copy of the International Search Report filed on 12/19/2005
- Information Disclosure Statements filed on 12/19/2005
- Request for Immediate Examination filed on 12/19/2005
- U.S. Basic National Fees filed on 12/19/2005
- Priority Documents filed on 12/19/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

DOCKETED on/by 1/21/04 am
 Any REP/RM/PA
 FILE # PP020765.0003
 Case File 6118106 Ext R55 SL5
 Court Order 1118106 RSD SL9

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/561,235 | PCT/IB04/02421 | 002441.00182 |

FORM PCT/DG/EO/905 (371 Formalities Notice)